

# LPA Core Training

For Local Public Agencies (LPA) to Use  
Federal & State  
Transportation Funds for  
Projects on Locally Owned Roads



# Why Are You Here?

*The purpose of the **Local Public Agency (LPA)**  
Core Training is:*

- To familiarize the LPAs with the expectations & requirements, as specified in the Entity-State Agreement, for local transportation and public works projects
- To improve the partnership between DOTD & LPAs to successfully implement projects

# Areas of Focus

## *To Understand*

- Programs Available
- Responsible Charge
- Planning for a project
- The Entity-State Agreement
- Project Administration and Requirements

# Reality Check



- Responsible Charge
- Entity-State Agreement
- Steps of LPA projects
- Consultant Selection for LPA projects
- LPA Role in project management

1 - No knowledge

5- High level of knowledge



# Who Should Be Here?

This LPA Core Training is required for any Local Public Agency (LPA) project sponsor and for every consultant working on LPA projects receiving federal or state funding through DOTD

# What is an LPA?

A Local Public Agency (LPA) includes:

- Parish Government
- City Government
- Municipal Government
- Airport Authorities

*\*\*\*all of the above are also referred to as “Entity” in legal agreements*




# Other LPA Training Opportunities Available Now

- Application Workshop
- Developing an LPA Project for Bidding (Project Delivery)
- Construction Engineering and Inspection (CE&I)

# What are FHWA funds?

- FHWA funds are called Federal-aid funds
- They are cost reimbursable funds – can be provided to an LPA by the FHWA through DOTD
- All FHWA funding programs are reimbursement programs – **NOT Grant programs**

# The Flow of Federal Funding

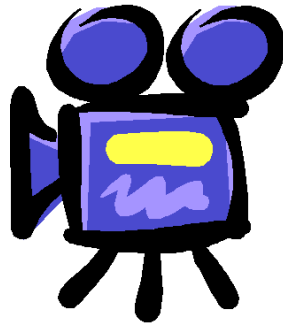
- 
- Federal Transportation Funds
    - Administered by FHWA – Authorization of Funds
  - To State DOTs
    - DOTD is responsible for ensuring that ALL Federal and State laws and regulations are followed
    - DOTD is always the direct recipient of FHWA funds
  - To Sub-recipients using federal funds (Local Public Agencies (LPA))
    - Answer to DOTD for ensuring that ALL Federal and State laws and regulations are followed

# Federal Funds

- Federal Law requires states through the stewardship and oversight requirement that DOTD is responsible for all sub-recipients' (LPA's) proper expenditure of federal funds
- The LPA sponsored projects must be compliant with all applicable federal and state requirements
- Non-compliance can result in partial or complete withdrawal of federal participation in the project

# Funding Opportunities

## Introduction to Cost Principles



# Funding Opportunities Review

- Allowable Costs – necessary, reasonable, allocable
- Direct cost – Item or service specifically and entirely for the project
- Indirect cost – Benefits more than one project or purpose



# What Can Federal Funds Be Used For Within the LPA Programs?

## Program Specific

- Preliminary Engineering – Design
- Right of Way Acquisition
- Utility Relocation
- Construction
- Construction Engineering and Inspection

\*\*\*Matching Funds from the LPA are usually required  
for all of the above\*\*

# Programs LPAs Can Apply for Project Funding Through DOTD:

Program	Annual Funding for 2015/2016
Transportation Alternative Program	\$9 M
Recreational Trails	\$1.9M
Safe Routes to School	\$2.4M
Local Road Safety Program	\$2.9M
Off System Bridge Program	\$13M
MPO – Urban System Program	\$63M
Total	\$ 92.2M



# LPA Programs that Require Applications

1. Transportation Alternative Program
  - A. Recreational Trails (Applications through CRT)
2. Safe Routes to School
3. Local Road Safety Program

# Transportation Alternatives Program (TAP)

*Purpose: To expand transportation choices and enhance the transportation experience for pedestrians, cyclists, community improvement and environmental mitigation*

# TAP Project Eligibility

- On and Off-road Ped/Bicycle facilities
- Infrastructure for non-drivers to safely access daily needs
- Conversion and use of abandoned railroad corridors for non-motorized users
- Turnouts for overlooks and viewing areas
- Community Improvement activities
- Environmental Mitigation Activities

# Transportation Alternatives Projects (TAP) Details

- DOTD project manager puts out a Bi-annual call for projects
- LPAs prepare and submit a project application
- 80% federal / 20% local match – construction only
- Engineering/Construction Inspection not a reimbursable cost for TAP

# TAP Application Development & Technical Assistance

- All applications for TAP funding are submitted to DOTD
- Screening will be done after application period closes by the DOTD TAP Eligibility Review Committee





# Transportation Alternatives Project Selection

- Large Metropolitan Planning Organizations (MPOs) (>200K only) select the projects within their areas and funding allocation
- Large MPO selected projects are included in their Transportation Improvement Program (TIP)



# Transportation Alternatives Project Selection

- DOTD District(s) will be given all eligible applications to prioritize the projects within their districts and funding allocation
- DOTD Secretary makes final selection of TAP projects from the Districts' lists

# Transportation Alternatives Projects

## Contact:



- Program Manager - [Laura.Riggs@La.Gov](mailto:Laura.Riggs@La.Gov)
- Project Manager - [Steve.Meek@La.Gov](mailto:Steve.Meek@La.Gov)

# Recreational Trails Program

*Purpose: To develop & maintain  
recreational trails & trail-related facilities  
for both non-motorized & motorized  
recreational trail uses*



# Recreational Trails Program

Note: This program is managed by Louisiana Department of Culture Recreation and Tourism (CRT).

Funding is coordinated by DOTD, as it is for all Federal Highway Programs

# Recreational Trails Program Eligibility

## Projects Eligible for Funding

- Motorized and Non-Motorized Trails On and Off Road

# Recreational Trails Programs Details

- CRT project manager has annual call for projects
- LPAs prepare and submit a project application
- 80 federal / 20 local match

# Recreational Trails Screening

- Screening will be done after application period closes by the CRT Eligibility Review Committee
- Projects prioritized & funded within funding allocation amounts

# Recreational Trails Projects

**Contact:**



Program Manager - Michael W.  
Domingue

LA Dept. of Culture, Recreation & Tourism

[mdomingue@crt.la.gov](mailto:mdomingue@crt.la.gov)



# Safe Routes to School

No longer a separate Federal funding program, *but.....*

DOTD is continuing as a **Safety-focused** program but changes are coming to comply with the MAP-21 Highway Safety Improvement Program requirements

# Safe Routes to School

- Not accepting applications this year until the changes are in place

# Safe Routes to School

- Program Contact:
- [Brian.Parsons@La.Gov](mailto:Brian.Parsons@La.Gov)
- On site assistance available
- Website:  
[http://www.dotd.la.gov/planning/highway\\_safety/safe\\_routes/](http://www.dotd.la.gov/planning/highway_safety/safe_routes/)
- Engineering Contact  
[mark.morvant@LA.Gov](mailto:mark.morvant@LA.Gov)



# Local Roads Safety Program

## Description

- *Purpose: To improve safety on locally owned roads in Louisiana by implementing Highway Safety Improvement funds which are applicable to all public roads*
- *This program focuses on low cost safety improvements on local roads to reduce fatal and serious injury crashes*

# Local Road Safety Program Criteria

- A low cost safety project on a locally owned road (not a DOTD route)
- Data Driven
- Aligned with the Strategic Highway Safety Plan (SHSP)
- Systemic approach encouraged



# Local Road Safety Program Details



- Louisiana Center for Transportation Safety coordinates a quarterly call for Projects
- LPAs prepare and submit a project application
- 100% Federal for eligible projects

# Project Considerations:

- Data Driven – crashes, roadway, traffic
- Right of Way acquisition discouraged
- Utility relocation must be done prior to construction by LPA
- Systemic encouraged





## Contact:

- DOTD Program Manager - [April.Renard@La.Gov](mailto:April.Renard@La.Gov)
- DOTD Project Managers - [Rick.Holm@La.Gov](mailto:Rick.Holm@La.Gov) & [Mike.Ricca@La.Gov](mailto:Mike.Ricca@La.Gov)
- LCTS Program Manager - [Rudynah.Capone@La.Gov](mailto:Rudynah.Capone@La.Gov)

☐ [www.louisianalrsp.org](http://www.louisianalrsp.org)



# Non-Application based Programs for LPA's

## (Stage 0 Studies Required)

- Off-System Bridge Rehab and Replacement
- HSIP Highway
  - HSIP-Railroad Crossing
- MPO – Urban System

# Off-System Bridge Projects Description

- ***Purpose:*** *To replace or rehabilitate structurally deficient or functionally obsolete parish structures in a cost efficient manner*

# Off-System Bridge Projects Description

- Provides design, detailed plans, and construction for replacement projects with an emphasis on meeting the minimum design standards set by DOTD and FHWA

# Off-System Bridge Projects Eligibility

- To be eligible the Parish must:
  - Complete the "Annual Certification" confirming all maintenance and other Federal requirements are met
  - Choose viable structures for replacement
  - Obtain any required right-of-way or servitude
  - Relocate conflicting utilities prior to construction
  - Obtain required permits
  - Provide any required permanent traffic control devices

# Off-System Bridge Projects Details

Program Manager Bi-annually prepares and provides the Parishes a packet of information that includes:

- A list of their structurally deficient & functional obsolete bridges that have met the criteria & are eligible for funding to replace or rehabilitate
- The estimated replacement costs
- The Parish's available construction funding through the program
- Funding: 80% federal / 20% local match (from Parish Transportation Trust Fund)

# Off-System Bridge Projects

## Rating Criteria

- Parishes prioritize eligible structures within their available funding – notify DOTD Program Manager of choices and complete Stage 0 checklist for priority bridges
- Parishes must acknowledge they are responsible for all Right of Way acquisition, permits, utility relocations and maintenance of permanent traffic signing and striping



# Off-System Bridge Projects

- After project selection, DOTD administers the design and construction of these projects
- Local Match provided by Parish Transportation Trust Fund





# Off-System Bridge

DOTD Contact:



- [Gary.Pentek@La.Gov](mailto:Gary.Pentek@La.Gov)

[http://www.dotd.la.gov/highways/project\\_devel/design/home.asp?ID=BRIDGE&PG=OFFSYSTEM](http://www.dotd.la.gov/highways/project_devel/design/home.asp?ID=BRIDGE&PG=OFFSYSTEM)

# Highway Safety Improvement Program - Roadways

*Purpose: To reduce the number of fatalities and injuries on ALL public **roadways**.*

# Highway Safety Improvement Program – Description

- DOTD solicits projects from their Districts on State owned roads using information from the statewide crash data base and priorities from Strategic Highway Safety Program (SHSP)

# Highway Safety Improvement Program - Eligibility

- Any strategy, activity or project on a public road that is **consistent with the data-driven State Strategic Highway Safety Plan (SHSP)** and corrects or improves a hazardous road location or feature or **addresses a highway safety problem**
- Workforce development, training, and education activities are also an eligible use of HSIP funds.  
[§1109; 23 USC 504(e)]
- Data collection, management, and analysis is also eligible.

# Highway Safety Improvement Program - Roadways

- LPAs should discuss safety concerns on state owned roads in their areas with DOTD District Administrator and/or their Regional Safety Coalition for possible safety projects. *Note: LRSP will work on locally-owned roads*

# Highway Safety Improvement Program - Railroad

*Purpose: To reduce the number of fatalities and injuries at public highway-rail grade crossings through the elimination of hazards and/or the installation/upgrade of warning devices at crossings.*



# Highway Safety Improvement Program – Railroad Eligibility & Selection

Crossing inventory and Diagnostic Reviews are used by DOTD to prioritize crossings for improvement, documented in the RR Safety Action Plan



# Highway Safety Improvement Program – Railroad

- LPAs should discuss safety concerns on highway-rail grade crossings in their areas with DOTD District Administrator for possible railroad safety projects. Each District has a designated Railroad Coordinator
- 100% federal funding



# MPO – Urban System Program

- *Purpose: This program provides flexible Federal Funds to metropolitan areas to use on their federal aid highways within the Metropolitan Planning Organization (MPO) geographic area*

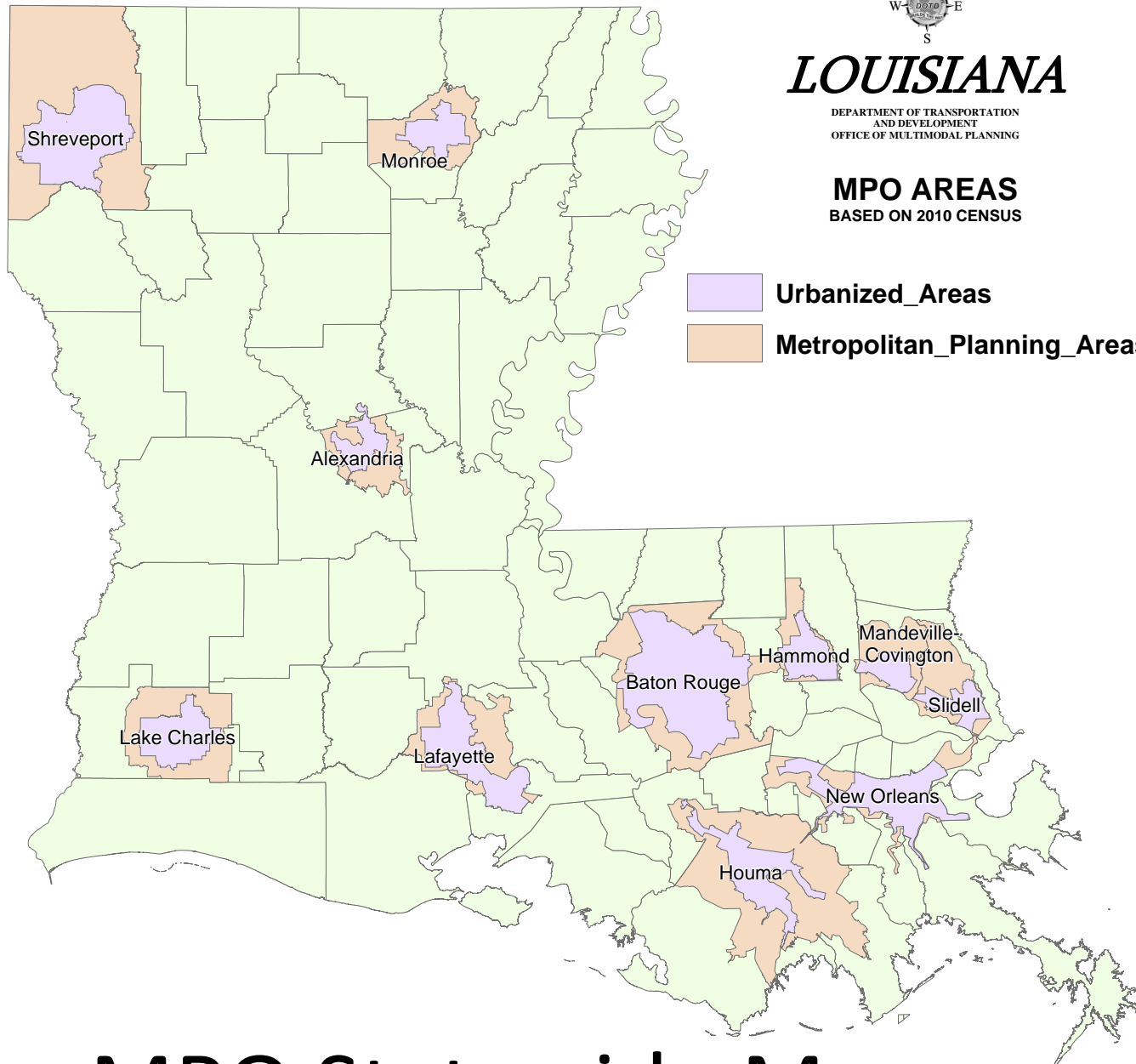


# LOUISIANA

DEPARTMENT OF TRANSPORTATION  
AND DEVELOPMENT  
OFFICE OF MULTIMODAL PLANNING

## MPO AREAS BASED ON 2010 CENSUS

-  Urbanized\_Areas
-  Metropolitan\_Planning\_Areas



# MPO – Urban System Program Eligibility

- Must be in an MPO Area
- Types of projects: construction, reconstruction, rehabilitation, resurfacing, restoration, preservation, operational improvements for highways and accommodation of other transportation modes

# MPO – Urban System Program Details

- FHWA's Surface Transportation Program (STP) for areas with population >50K and
  - <200K Population
  - >200K Population
- Projects selected by MPOs
- Requires a Stage 0 study
- 80% federal / 20% local match

# Metropolitan Planning Organization (MPO) Defined

- Policy Board – Decision making (voting members) comprising the elected official within the geographic MPO area – chose projects for the Transportation Improvement Program (TIP)
- Technical Committee – Provide technical information and guidance to the Policy Board (DPW Directors, Parish & City Engineers, etc)
- Staff & Executive Director – Hired to provide planning guidance and technical assistance to the Technical Committee and the Policy Board

# Urban Systems Program



## Contact:

- [Jason.Lacombe@La.Gov](mailto:Jason.Lacombe@La.Gov)  
>200K Projects
- [Tanya.Bankston@La.Gov](mailto:Tanya.Bankston@La.Gov)  
<200K Projects





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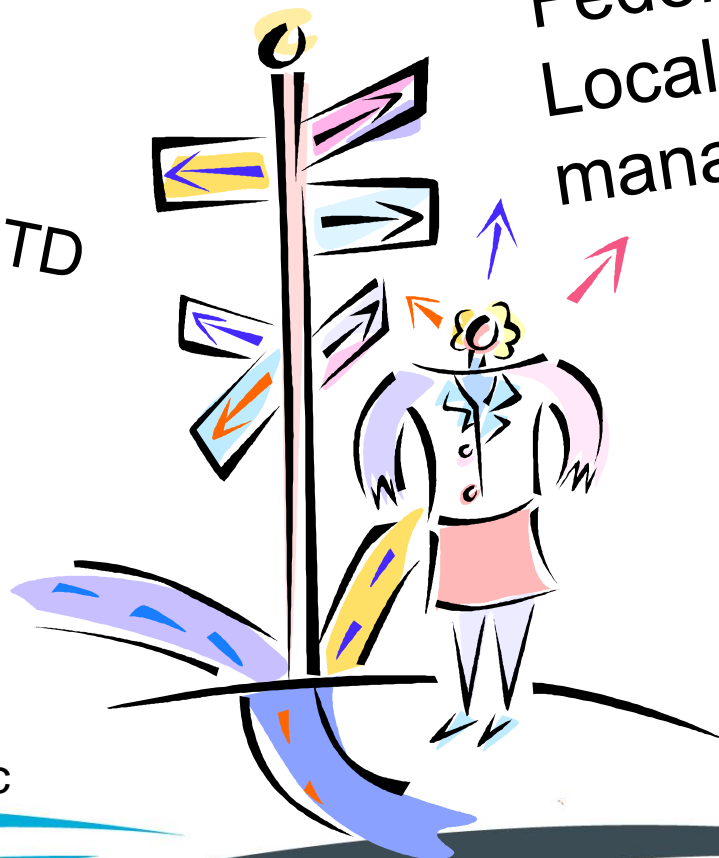
# Funding Choices

## 100% Local Funds

Locals pay DOTD the match and admin. fee “up-front” - DOTD manages the engineering contract\*\*

\*\* Program Specific

## Federal Funds with Local match – Entity manages contract



# Consultant Selection

- If Federal Funds are used for engineering, DOTD or an LPA with an approved selection process by Federal requirements are only allowed to select consultant

## WHY???

# Consultant Selection

## *The Brooks Act – USC 40 Ch 11*

LA State Law procurement requirements for professional services do NOT meet the Federal Brooks Act

DOTD will select the consultant and prepare the contract for execution between the LPA and consultant – DOTD not a party to the contract

# When Federal Dollars are Involved:

- FHWA requires DOTD to facilitate:
    - Advertising the consultant contracts
    - Letting of the construction project
  - BUT, the LPA signs the formal contract unless the LPA provides the local match and a management fee “up-front” to DOTD (program specific)
- IT IS YOUR PROJECT**

# LPA vs. FHWA funding when LPA signs & owns the contracts

Stage of a Project	LPA Paying 100%	Federal \$\$ will Reimburse costs
Conceptual Plans and Environmental Decision	LPA can do work or pick consultant	DOTD process used for consultant selection
Preconstruction Engineering	LPA can do work or pick consultant	DOTD process used for consultant selection
Right-of-Way Acquisition and Relocation	LPA purchases – must follow fed. procedures	LPA purchases – must follow Federal procedures
Utility Relocation	LPA handles	LPA handles – must follow DOTD procedures
Construction Engineering & Inspection	LPA can do work or pick consultant	DOTD process used for consultant selection
Construction	N/A	DOTD process used for project - award to low bid contractor

# State Funding

- By state law, DOTD Transportation Trust Funds (TTF) can only be spent on State owned roads
  - The only exception is the Off-System Bridge Replacement Program which was amended by law and uses Parish Transportation Trust Funds
- Local entities may be required to “up front” their match to DOTD with a management fee and DOTD will manage the contract (program specific)

# Responsible Charge



**This is YOUR project.  
It is YOUR  
responsibility to keep  
it moving!**





# FHWA Essentials Responsible Charge Video

[Responsible Charge](#)

# More Information??

- I want to know more about...
- <http://www.fhwa.dot.gov/federal-aidessentials/knowmore.cfm>
- Federal Aid Essentials for Local Public Agencies
- <http://www.fhwa.dot.gov/federal-aidessentials/>



# “Responsible Charge”

- Not a new rule
- New enforcement
- Not a full time job but must be a full time employee of the Entity –  
Typically not the LPA Project Engineer
- Not a consultant hired by the Entity

# Project Responsible Charge *LPA Project Manager*

Keeps Project  
Moving

Transmits  
letters and  
plans to DOTD

Distributes  
plans  
internally

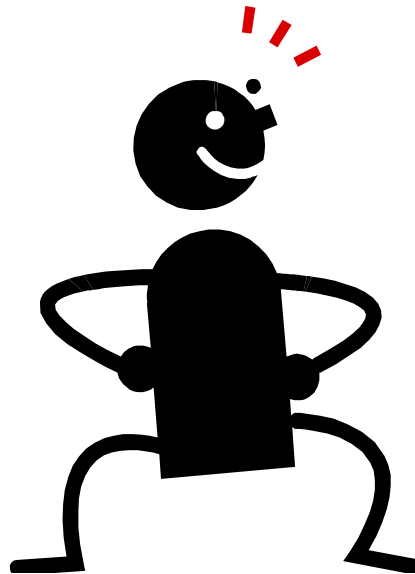
Confirms  
comments are  
addressed

Attends all  
decision meetings

Ensures permits  
are obtained

Submit Status  
Reports

Ensures utility  
relocation is  
coordinated



# Responsible Charge Duties.....cont.

- *You do not have to be in the field everyday if you have a CE&I consultant*
- *BUT as owner of the project.....You need to be able to answer project status questions if called by DOTD*



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# Responsible Charge Form

## Responsible Charge and Financial Contact for Federal-Aid Projects

In accordance with Federal Regulation 23 CFR 635.105 the Local Public Agency must provide a full time employee of the Local Public Agency to be in "responsible charge" of the project. This person does not need to be an engineer. This person is required even when consultants have been retained by the LPA to manage the entity's engineering activities, including design and construction engineering and inspection services. Identified below is the information and duties required of this employee.

Project No. \_\_\_\_\_ Project Name: \_\_\_\_\_

Entity: \_\_\_\_\_

### Responsible Person in Charge Contact Information

Name & Title \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**NOTE:** The regulation does not require the same public employees to be in responsible charge over several projects. It allows for the transfer of responsible charge duties for different phases, i.e. design and construction. If design and construction duties are handled by separate individuals on a project, please identify each employee and the phase of the project they are responsible for. (Note: Only one employee per phase should be listed.)

### Duties:

- This person acts as the primary point of contact for the Entity with the DOTD Project Manager.
- Oversees project activities, cost, time adherence to contract requirements, design and construction quality and scope
- Ensures the contract is properly recorded
- Directs project staff, agency or consultant, to carry out project administration and contract oversight including proper documentation
- Is aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste and abuse
- Maintains familiarity of day to day project operations & safety issues
- Visits and reviews the project on a frequency that is proportionate with the magnitude and complexity of the project.
- Attends all project related meetings. (It is understood that if the person in Responsible Charge is not in attendance, the meeting will be cancelled.)

**Financial Contact Information - Contact Person for financial questions on the cost principles and audit requirements defined in "Supercircular" 2 CFR 200**

Name & Title of \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

\_\_\_\_\_  
Name of Signatory Party for the Local Public Agency (Print)

\_\_\_\_\_  
Signature of Signatory Party for the Local Public Agency

**NOTE:** It is the Entity's responsibility to notify the Project Manager if the Responsible Person in Charge or Financial Contact changes during any phase or duty.



# Exercise

- Complete the sample Responsible Charge job description

# Planning – *The First Step*



# Stages Of A Transportation Project

- Stage 0 – Feasibility/Planning
- Stage 1 – Environmental (NEPA)
- Stage 2 – Funding
- Stage 3 – Preconstruction (Design, R/W, Utilities)
- Stage 4 – Letting (Bidding)
- Stage 5 – Construction
- Stage 6 – Maintenance



# Transportation Planning – from State Perspective

- To provide for international, interstate, interregional, and interurban movement of people and goods
- To maintain a basic farm-to-market network
- To address identified traffic operations and safety issues on state-maintained highways
- To assist local government officials in addressing local transportation needs

# Local Transportation Planning

- Objective: to improve the local transportation system to benefit the citizens in your local community
  - Projects should support plans to accomplish local and community goals – short & long term
  - Projects that support local plans will be given priority during evaluation

# Why Is Planning Important?



- ▶ Direct growth instead of being the recipient of growth
- ▶ Consistency and predictability
- ▶ Leverage public investment





# Why Plan?



- To manage change and growth in communities
  - Note: Planning is Encouraged...but NOT Mandated
- With a plan
  - You can write a better application
  - Your project's chance of being selected and BEING SUCCESSFUL IMPROVE!



“If you don’t know  
where you’re  
going.....you just might  
end up somewhere else.”

*Yogi Berra*



# What Is A Comprehensive Plan?

- Shared community vision, goals & objectives
- Policy blueprint
- Coordination of government and private programs



# What Is A Comprehensive Plan?

Comprised of “Elements”

- ▶ **Land Use**
- ▶ **Transportation**
- ▶ Economic Development
- ▶ Public Infrastructure/Utilities
- ▶ Housing and Human Services
- ▶ Parks and Open Space
- ▶ Historic, Environment and Coastal Resources
- ▶ Community Facilities



# Planning At Local Level

- Develop a long-range (20-year) vision
- Set some goals to achieve that vision – Examples:
  - Preserve character of towns
  - Define and develop city centers/downtowns
  - Architectural themes/standards/zones
  - Placement of schools and other public facilities
- Develop a land use transportation plan that compliments the goals
- Establish mechanisms to implement the plan (zoning, tax incentives)
- Consider development codes and sign ordinances

# Planning – Getting Started

1. Link transportation needs
2. Identify a fact-base
3. Engage a team of key stakeholders
4. Incorporate public participation
5. Summarize results from 1-4





# Planning Actions

6. Communicate your initial summary & opportunities
7. Identify and prioritize locations needing improvement
8. Use or set policies for transportation improvements
9. Estimate preliminary costs for improvements
10. Finalize plan
11. Identify funding sources for capital & maintenance activities

# Investing in Transportation Infrastructure

- Develop a plan
- Maintain and protect what you have – (i.e. weight enforcement)
- Improve local roads
- Build new roads to develop grid & connect existing roads
  - Think about transit
  - Serving the elderly
- Workforce development
- Think about walking and biking
- What about other modes – airport, railroad, port



# Planning Actions

## Maintenance

### Identify funding sources for maintenance

- Mowing – At least 4 times/year
- Litter – At least 4 times/year
- Pot hole patching – when needed
- Shoulder repair – when needed
- Striping – every 2 years
- Sidewalk repair – when needed
- Sign maint. – when needed
- Sign replacement – every 10 years
- Bridge Maint. – At least every 2 years

# Community Level Transportation Plans

## Examples of Comprehensive Plans

- Town of Jena
- Tangipahoa Parish
- Vernon Parish
- West Feliciana Parish
- St. Tammany Parish – New Directions 2025
- Plan Baton Rouge (BR downtown master plan)

# Town of Jena's Plan – Jena Vision

## Transportation & Mobility Priorities

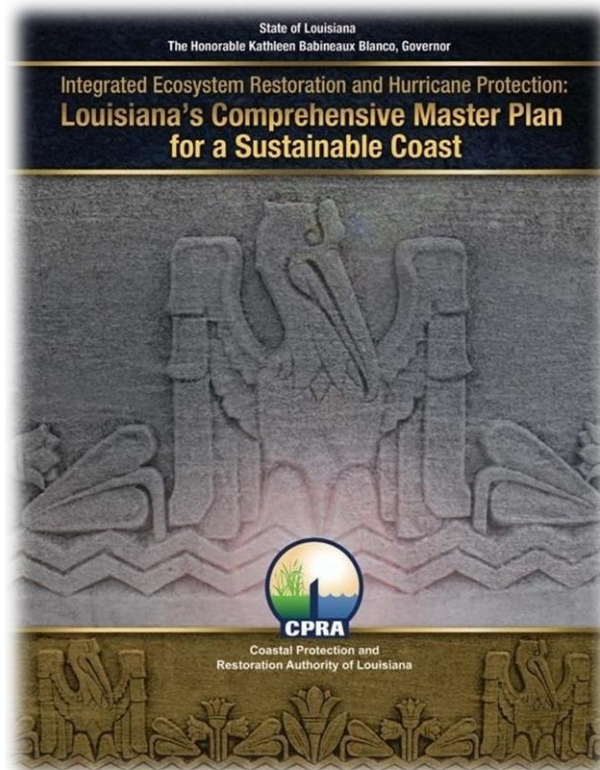
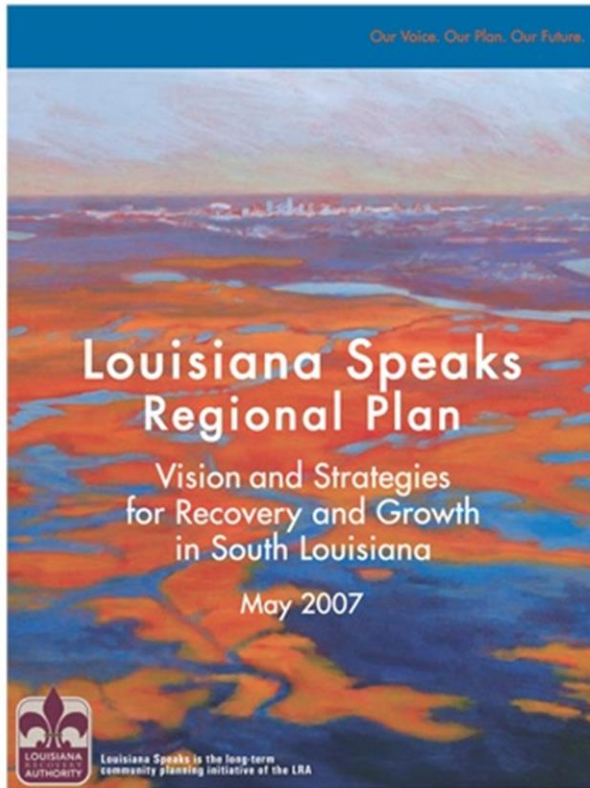
- Expand Hwy 84 in a Context Sensitive Manner
- Improve the Street Network
- Maintain Existing Roadway Character
- Expand Transportation Choices



# Mayor McMillan – Town Jena says:

*“Jena’s long-range strategic plan, called Jena Vision, has been our key to success in growing a smart, sustainable community.”*

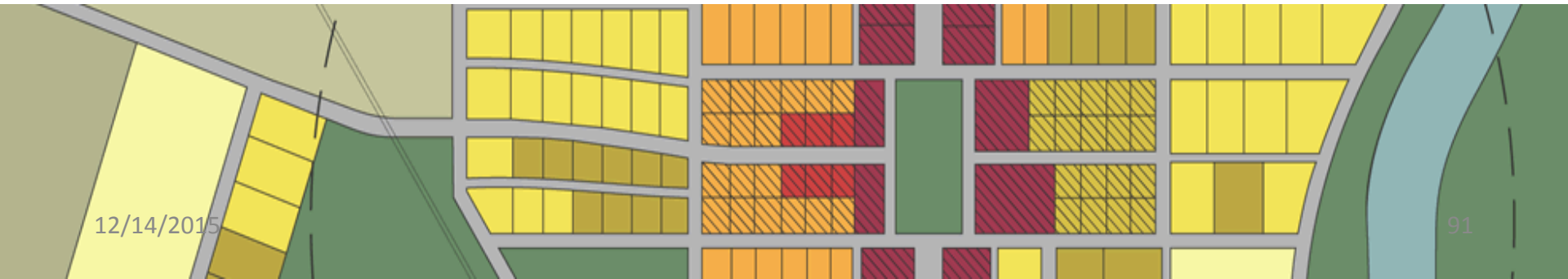
# Example: CPEX Louisiana Land Use Toolkit



Land Use – the human use of the land

# Land Use Toolkit

Purpose: To take practical **land use** and **transportation** patterns to form the basis for zoning, development and infrastructure improvements in the local area





# Land Use Toolkit

The tool kits is:

- ▶ Easy and affordable to administer
- ▶ Can be adopted completely or cafeteria-style
- ▶ Flexible for multiple locations and contexts
- ▶ Consists of clear, concise, graphically-oriented, user-friendly rules to develop specific local policies for:
  - ▶ Zoning
  - ▶ Development
  - ▶ Infrastructure improvements



# What Does Your LPA Ask of Developers?

- Require mitigation of impacts
  - DOTD has a traffic impact policy for state highways
  - Many local governments assess impact fees
- Manage access to improve safety and efficiency
  - require interconnection of parking lots
  - don't allow driveways too close to intersections
  - limit number and spacing of driveways
- Consider the future – building setbacks

# Planning Resources

- MPOs
- DOTD Stage 0 Manual
- Center for Planning Excellence (CPEX)
- FHWA

# Statewide and Regional Plans to Also Consider

- Metropolitan Transportation Plans (MTP) (MPOs)
- LA Bicycle Pedestrian Master Plan
- LA Bicycle Suitability Map
- LA Bicycle Goals Map (under development)
- LA Complete Streets Policy
- Louisiana Strategic Highway Safety Plan
- Regional Safety Plans



# MPO Metropolitan Transportation Plans (MTP)

- MPOs develop an MTP every 4-5 years
  - Guides transportation system development over a 20-year planning horizon in metropolitan areas
  - Presents a vision and goals for a region's transportation system

# LA Statewide Bicycle and Pedestrian Master Plan

[http://www.dotd.la.gov/planning/highway\\_safety/bike\\_ped/masterplan.aspx](http://www.dotd.la.gov/planning/highway_safety/bike_ped/masterplan.aspx)



**Louisiana** 2009  
Statewide Bicycle and Pedestrian Master Plan



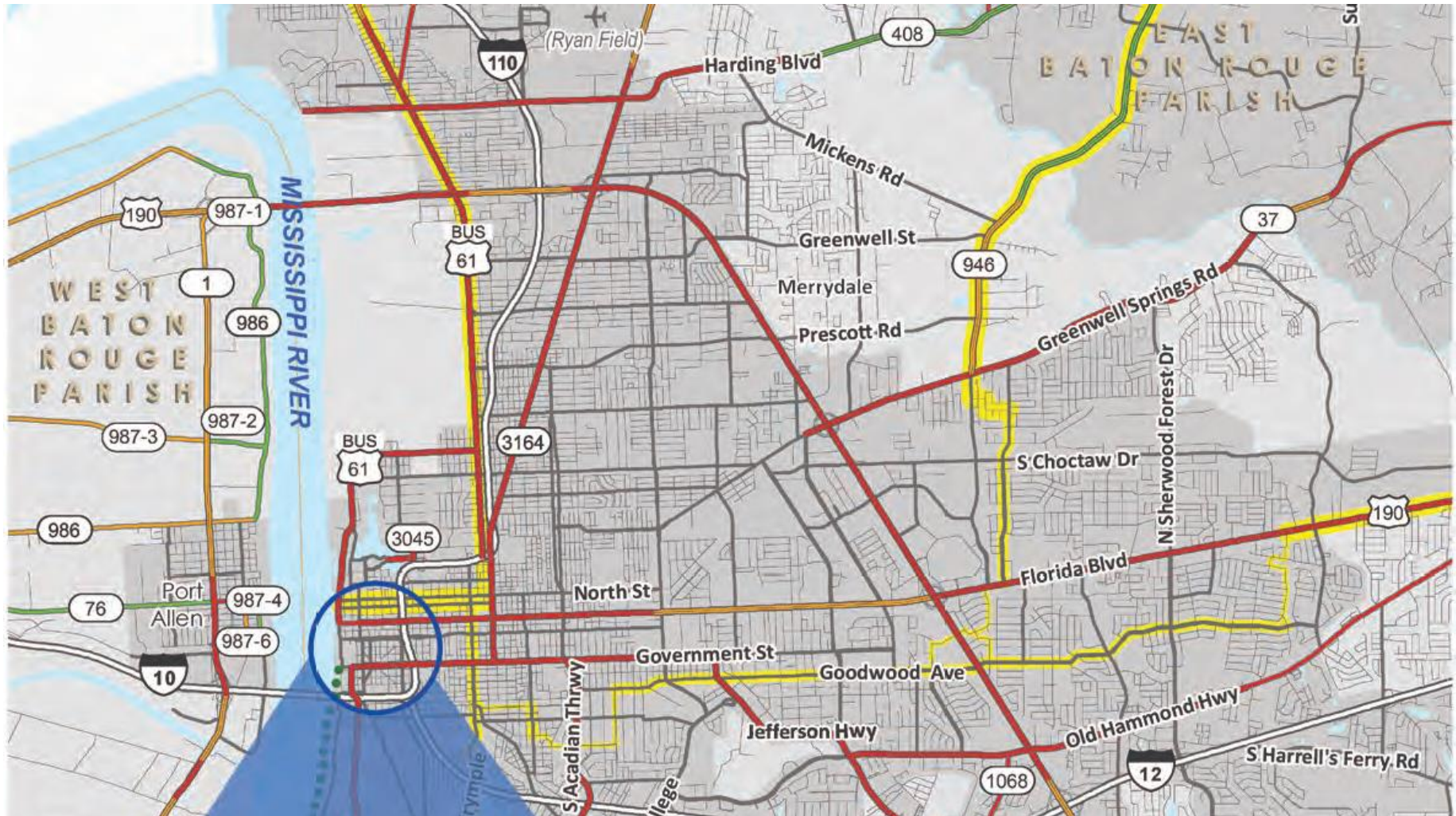


# Statewide Bicycle and Pedestrian Master Plan Goals

- Social Equity
- Personal Safety
- Economic Development
- Public Health
- Environmental Stewardship



# LA Bicycle Suitability Map





# Statewide Bicycle Goals Map

## Purpose:

- A tool to better identify bicycle routes that **connect** with existing local, regional and national bicycle routes
- To identify bike routes that should be considered in DOTD projects

*This is a new project that started in early 2014 – is scheduled to be complete at the end of 2015.*





# DOTD's Complete Streets Policy Statement

To develop a comprehensive, integrated, connected network for Louisiana that balances access, mobility, health, and safety needs for motorists, transit users, bicyclists, and pedestrians of all ages and abilities, including users of wheelchairs and mobility aids.



# Complete Streets

- Complete Streets Report
- DOTD Policy
  - ❑ Ensures a fully integrated transportation system, by planning, funding, designing, constructing, managing, and maintaining a complete and multi-modal network that achieves and sustains mobility, while encouraging and safely accommodating pedestrians, bicyclists, and transit users.



# DOTD's Complete Streets Policy – Exceptions & Conditions

- **Exceptions:**
  - Interstate Improvements
  - Pavement Preservation Projects (Overlays) that do not require additional Rights of Way to provide pedestrian & bicycle facilities
  - Cost of Improvements exceeds 20% of the associated project cost
  - Other factors and general lack of need
- **Condition:** Maintenance of the improvements will be the responsibility of the Local Jurisdiction and Maintenance Agreements will be in effect



# Strategic Highway Safety Plan (SHSP)



**Destination Zero Deaths** - The SHSP is a comprehensive, multidisciplinary approach to reduce motor vehicle related fatalities & injuries on Louisiana roadways

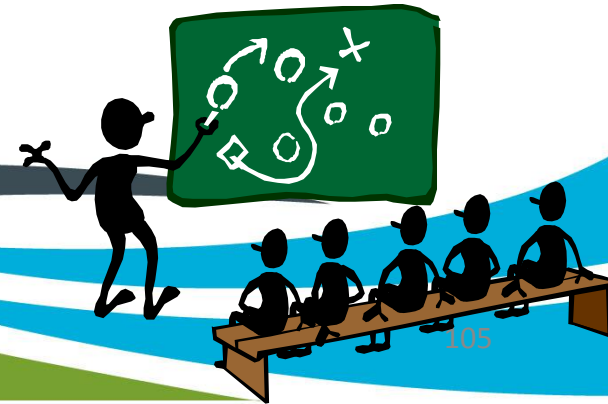
Statewide Emphasis Areas: *Impaired Driving, Occupant Protection, Infrastructure & Operations, and Young Drivers*



# Regional Safety Coalitions

## Purpose

- Identify regional transportation safety problems
- Review the strategies from the statewide SHSP and determine relevance for the region;
- Develop regional action plans;
- Assign responsibility for action implementation
- Report on progress to the statewide Emphasis Area Team leaders



Regional Safety Coalitions	Contact
Acadiana Transportation Safety Coalition	Melissa Newell * Champion: Becket Breaux
Capital Regional Transportation Safety Coalition	Ashley Bridges * Champion: Tom Ed McHugh
Central Louisiana Regional Safety Coalition	Yuwen Hou * Champion: Jay Oliphant
New Orleans Regional Traffic Safety Coalition	Tricia Keffer & Emilie Bahr
North Shore Regional Safety Coalition	Tricia Keffer & Emilie Bahr: * Champion: Ron Whittaker
Northeast Louisiana Highway Safety Partnership	Cynthia Purdue * Champion: Tommy Lewis
Northwest Louisiana Regional Safety Coalition	Shelly Barrett
South Central Regional Safety Coalition	Cassie Parker: <a href="mailto:cassie@scpdc.org">cassie@scpdc.org</a> * Champions: Darrin Naquin & Kevin Belanger
Southwest Louisiana Regional Safety Coalition	Katelynn McCartney: <a href="mailto:katelynn@imcal.org">katelynn@imcal.org</a> * Champions: Grant Bush and Chris Guillory





**HSRG**

HIGHWAY SAFETY  
RESEARCH GROUP

725.578.0966  
hrg@lsu.edu

# Summary:

## Planning Expectations

- Develop a Local Transportation Plan tied to land use
- Local projects should:
  - Support **Local** Plans and Goals
  - Consider Statewide Policies in projects
  - Support **Statewide & Regional** Plans as Appropriate



**BOOM!**

# The Entity-State Agreement



# Entity-State Agreement

- A written/signed agreement between the State and the Sponsoring Entity (an LPA) identifying the responsibilities of each entity – LEGALLY BINDING
- Every project must have an agreement signed by both parties before a project can move forward
- An agreement must be executed prior to a reimbursable stage of a project
- The agreement identifies the funding provisions for a project



# “New & Improved” Agreement

DOTD has revised the Entity/State agreement template to make it clearer and simpler to understand

*See Entity State Agreement outline handout*

# Agreement – Process

- Prior to the reimbursable stage, DOTD drafts and sends agreement to the Entity for signature
- Entity reviews; if concurrence, signs agreement and returns to DOTD
- If changes are requested by Entity
  - Notify DOTD Project Manager of requested changes
  - If changes are acceptable with DOTD, DOTD revises agreement and sends to Entity for signature
  - Entity signs agreement & sends back to DOTD

# Agreement – Process

- **Review and signing must be done ASAP by Entity (LPA) so that project progress is not halted!** (Responsible Charge to oversee)
- No reimbursable charges are allowed until DOTD executes the Agreement



# Agreement – Process

- Supplemental Agreements
  - If changes i.e. scope, funding, arise during project development of a Supplemental Agreement may be needed
  - Any Supplemental Agreements must be approved and processed by DOTD
  - Supplemental Agreements are also executed between DOTD and the Entity

# Sections (Articles) of the Agreement

*(remember....it is a legal document!)*

# Title Section and the Whereas'

- Project Header Information
- Whereas' - DOTD and "Entity" (the LPA and MPO if in an urban area) agree to work together on this project

# Agreement Articles

- Project Description
- Funding
- Project Responsible Charge
- Period of Performance
- Consultant Selection
- Environmental Process
- Pre-construction Engineering
- Right-of-Way Acquisition & Relocation
- Transfer & Acceptance of Right-of-Way
- Permits
- Utility Relocation /Railroad Coordination
- Bids/Construction
- Construction Engineering & Inspection
- Subcontracting
- DBE Requirements
- Direct and Indirect Costs
- Cost Records
- Cancellation
- Compliance with Civil Rights
- Indemnification
- Final Inspection and Maintenance
- House Bill 1 Compliance

# ARTICLE 1: PROJECT DESCRIPTION

# Project Description

- Describes the type of improvement/project, location, type and description of work
- Project number assigned
  - All costs associated with the project shall be identified with the assigned project number

# ARTICLE II: FUNDING



# Funding

- Describes responsibility and funding arrangements, funding limits, who will pay for what phase and the % required to match the Federal Funds:
  - Depending on the program, Federal funds can pay for conceptual plans, environmental decision, pre-construction engineering, construction, and/or construction inspection and administration (CE&I) cost

# Funding Responsibilities

Responsibilities for phase and funding decisions (in percentages) are documented in the Agreement using new summary tables

# Funding Responsibility Table

Responsibility Table <sup>1</sup> Roadway Control Section XXX-XX			
	Entity	DOTD	Comments
Roadway Owner	Yes or No	Yes or No	
Environmental Process	Yes or No	Yes or No	
Pre-Construction Engineering	Yes or No	Yes or No	
Right-of-Way Acquisition and Relocation	Yes or No	Yes or No	
Permits	Yes or No	Yes or No	
Utility (Clearance/Permits)	Yes or No	Yes or No	
Construction Engineering Administration and Inspection	Yes or No	Yes or No	
12/14/2015 Construction Engineering Testing	Yes or No	Yes or No	123

# Funding Table Example in Agreement

Phase	Local Match Percentage	Federal Percentage
Conceptual Plans and Environmental Decision	20%	80%
Preconstruction Engineering	20%	80%
Right-of-Way Acquisition and Relocation	100%	N/A
Utility Relocation	100%	N/A
Construction Engineering & Inspection	20%	80%
Construction	20%	80%

# Funding Commitment – Projects in MPO Area

- Amounts are limited by the regional Transportation Improvement Program (TIP)
- Any changes must be coordinated by the Entity (Responsible Charge) with the MPO
- DOTD will not contact the MPO to request money

# Federal Funding Commitment Letter for Non-MPO projects

- The Project Manager will send Funding Commitment letter with Agreement – can revise the commitment letter accordingly
- Amounts may be limited by the Program
- Any changes must be coordinated by the Entity with the Program Manager



# Federal Funding Table Example in Commitment Letter

Phase	Local Match Percentage	Federal Percentage	Total
Conceptual Plans and Environmental Decision	N/A	N/A	N/A
Preconstruction Engineering	20% -\$3,750.00	80% -\$15,000.00	100% - \$ 18,750
Right-of-Way Acquisition and Relocation	N/A	N/A	N/A
Utility Relocation	N/A	N/A	N/A
Construction Engineering & Inspection	20% - \$3000	80% - \$12,000	100% - \$15,000
Construction	20% - \$25,000	80% -\$100,000	100% - \$125,000
<b>Total</b>	<b>\$31,750.00</b>	<b>\$127,000</b>	<b>\$158,750.00</b>

# Cost Reimbursement /Disbursements

- An available cost reimbursement process
- Disbursement – pays the correct federal ratio of the approved project cost (i.e. pre-construction engineering services, right-of-way acquisitions, utility adjustments and/or the costs of construction) for the monthly invoice to the Entity
- Upon receipt of each disbursement requested, Entity is required to tender payment for the invoiced cost to the vendor

# Disbursement vs. Reimbursement

- Reimbursement
  - LPA pays contractor
  - LPA submits cancelled check
  - LPA reimbursed for agreed percentage by DOTD
- Disbursement
  - LPA submits copy of invoice to DOTD
  - DOTD sends LPA appropriate percentage
  - LPA pays contractor
  - LPA provides proof of payment to contractor within 60 days to DOTD or with next invoice for engineering consultant contracts

# Final Payment

- All billing required 60 days after completion of period of performance – Occurrence must have been within the period of performance
- Once project is closed – unbilled amount is responsibility of LPA

# ARTICLE III: PROJECT RESPONSIBLE CHARGE

# Responsible Charge

Defines duties of the full time **ENTITY EMPLOYEE** in “responsible charge” of the project for both Entity held contracts and DOTD held contracts

This requirement applies even when consultants are providing design and/or construction engineering services



# ARTICLE IV: PERIOD OF PERFORMANCE

# Period of Performance

- This is a new Article
- 2 CFR 200.309 imposes a period when project costs can be incurred (a project start and end date)
- Any additional costs incurred after the end date are not eligible for reimbursement

# ARTICLE V: CONSULTANT SELECTION

# Consultant Selection

- Describes the commitments for consultant selection
  - Federal Funds used – Must be an approved selection process
  - 100% LPA Funded – LPA selects design consultant
    - Cannot be on DOTD's disqualification list, has been debarred or has not attended appropriate LPA modules
    - Must follow DOTD and FHWA requirements

# ARTICLE VI: ENVIRONMENTAL PROCESS

# Environmental Process

EA - Environmental Assessment

PCE - Programmatic Categorical Exclusion

- The National Environmental Protection Act (NEPA) requirements apply to all projects and must be processed & documented

CE - Categorical Exclusion

EIS - Environmental Impact Statement



# ARTICLE VII: PRE-CONSTRUCTION ENGINEERING

# PRE-CONSTRUCTION ENGINEERING

- All pre-construction engineering design services necessary for the preparation of complete plans, specifications and estimates for the proposed improvements **MUST** be developed per DOTD and Federal requirements

# Preconstruction Design Requirements

- DOTD Design Guidelines must be followed
- Entity is responsible for contract costs attributable to errors or omissions
- Design submittals to DOTD must meet project schedule or letting can be delayed
- Maintenance Operation and Inspection Plans are required (not limited to) for sidewalks, bike paths, landscaping components

# ARTICLE VIII: RIGHT-OF-WAY ACQUISITION AND RELOCATION

# ROW Acquisition & Relocation MANDATE

The Entity **shall acquire** all real property and property rights required for the project in accordance with all applicable State and Federal laws and regulations. *This applies even if the project has not begun the state/federal process*

***NOTE: The Federal Relocation Assistance and Real Property Acquisition Policies (The Uniform Act) has different requirements than state law. The Entity must contact the LADOTD Real Estate Section FIRST to make sure they know the federal requirements!***

# ROW Acquisition & Relocation Requirements

- All State & Federal Laws are applicable
- Design surveys, right-of-way (ROW) surveys and prep. of ROW maps in accordance with Location & Survey Manual
- LPA Assurance letter due annually to DOTD Real Estate Section
- Letter required from LPA that all ROW has been acquired or that it can be built within existing ROW

# ARTICLE IX: TRANSFER AND ACCEPTANCE OF RIGHT-OF-WAY



# Transfer and Acceptance of ROW

- DOTD may acquire right-of-way for a project that will not remain in the State Highway System upon completion and acceptance of project – State/local intersection
  - The transfer of full ownership from DOTD to the Entity happens after construction is complete

# ARTICLE X: PERMITS

# Permits

- This section states who is responsible for obtaining the required permits
- LPAs always obtain the permits on their routes

# ARTICLE XI: UTILITY RELOCATION / RAILROAD COORDINATION

# UTILITY RELOCATION / RAILROAD COORDINATION

- The Entity must work with utility companies and railroads to acquire the proper agreements and ensure that utility relocation is done in accordance with state and federal requirements on all local routes

# ARTICLE XII: BIDS/CONSTRUCTION

# Bids/Construction

- DOTD uses the final plans, specifications, and estimate to advertise and receive bids for the work in accordance with DOTD's normal procedures
- DOTD reviews bids and solicits concurrence from the LPA for award
  - LPA is responsible for costs above Agreement amounts
- DOTD prepares contract
  - Contract is executed by LPA and the lowest bidder, per State and Federal requirements



# ARTICLE XIII: CONSTRUCTION ENGINEERING AND INSPECTION

# Construction Engineering & Inspection

- Construction engineering and inspection is provided by the contract holder
- For LPA held contracts
  - The LPA or its consultant will provide construction administration and inspection during the project construction per state and federal regulations
  - DOTD will provide a District Project Coordinator

# CE&I Requirements

- Approvals required by the Specification books for equipment and construction procedures must be obtained through DOTD
- All inspection personnel must meet the same qualifications (certifications) required of DOTD personnel

# CE&I Requirements

- Construction procedures must be in accordance with DOTD guidelines and policies
  - Construction Contract Manual
  - Engineering Directives and Standard Manual (EDSM)
  - Applicable Memoranda
- Construction documentation required in Site Manager

# CE&I Requirements

- Quality Assurance must follow appropriate manuals for all materials tested
- Accredited materials lab required for testing
  - Personnel must meet same qualifications / certifications required of DOTD personnel
- Shop drawing review responsibility of design engineer

# CE&I Requirements

- Final records to DOTD
  - Projects < \$2 million - within max. of 30 days from date of recordation of acceptance
  - Projects > \$2 million – within max. of 60 days from date of recordation of acceptance

# ARTICLE XIV: SUBCONTRACTING



# Subcontracting Requirements

- Entity must have prior written consent to subcontract
- If the project has Disadvantage Business Enterprise (DBE) goals additional documentation is required

# Subcontracting

- A DBE/SBE subcontractor must be reported, even if project does not have a DBE goal
  - Construction Form CP-1A tracks payment to the DBE/SBE is completed even if DOTD did not set a project goal

# ARTICLE XV: DBE REQUIREMENTS

# Disadvantaged Business Enterprise (DBE) / Small Business Element (SBE)

**Summary:** Policy of USDOT that small business firms owned and controlled by socially & economically disadvantaged persons or small race neutral business firms SHALL have an equal opportunity to participate in the performance of federally financed contracts or subcontracts.

# ARTICLE XVI: DIRECT AND INDIRECT COSTS

# Direct and Indirect Costs

- DOTD administration costs of most projects will be charged to the project
- \*\*\*\*\***NEW**\*\*\*\*\* Federal Super Circular – 2CFR 200 – Will allow LPAs to charge indirect cost rate

# Direct and Indirect Costs

- LPA must sign & certify the Risk Assessment form
- The Entity may receive indirect costs **IF** it has a verifiable financial tracking system that can track direct costs incurred by the project
- An entity that has never received a negotiated indirect cost rate may charge 10% of modified total direct costs



# ARTICLE XVII: COST RECORDS

# Cost Records

- The Entity and all others employed by it in connection with this Project are required to:
  - Maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred relative to their participation in phases/stages of Project for 5-years

# Cost Records Extensions

- Extensions may be required beyond 5-year
  - If litigation, claim or audit started prior to 5-year period
  - If entity is notified in writing by an authorized agency
- Records for real property and equipment acquired with Federal funds retained 3 years after final disposition

# ARTICLE XVIII : CANCELLATION

# Cancellation

- Describes the conditions under which this Agreement may be terminated
  - Money received must be returned to DOTD if the agreement is cancelled
  - Supercircular 2CFR 200 will require project end date

# ARTICLE XIX: COMPLIANCE WITH CIVIL RIGHTS

# Compliance with Civil Rights

- Describes how the Entity **agrees** to abide by the requirements of the following, as applicable:
  - Titles VI and VII of the Civil Rights Act of 1964
  - Others listed in Agreement Outline



# ARTICLE XX: INDEMNIFICATION

# Indemnification

- States the Entity shall indemnify, save harmless and defend DOTD against:
  - claims, losses, liabilities, demands, suits, causes of action, damages and judgments of any act or omission of the Entity or it's representatives
  - Sidewalks, landscaping, shared use paths, lighting

# ARTICLE XXI: FINAL INSPECTION AND MAINTENANCE

# Final Inspection & Maintenance (LPA Routes)

- The Entity adopts a resolution granting a Final Acceptance to the contractor upon completion and Final Acceptance of the project
- Final acceptance is recorded with the Clerk of Court in the appropriate Parish with proof of recordation to sent to DOTD
- The Entity shall assume the maintenance of the improvement at its expense and in a satisfactory manner

# Final Inspection and Maintenance – State Routes

- DOTD does not accept maintenance and liability on state routes for:
  - Sidewalks
  - Separate bicycle paths
  - Lighting
  - Landscaping

# ARTICLE XXII : HOUSE BILL 1 COMPLIANCE

# House Bill 1 Compliance

- By request of the Legislative Auditor
- If your project has been included in House Bill 1 (given additional funding by State of LA) – then additional documentation will be required



# Agreement Template

- The Entity State Agreement template is located on the Consultant Contract Services DOTD website



LOUISIANA DEPARTMENT OF  
TRANSPORTATION & DEVELOPMENT



# Cost Disbursements (Article II) Issues

- Incorrect or insufficient documentation
  - Engineering (to Project Manager)
  - Construction (Site Manager generates the invoice directly to DOTD)
- Proof of Payment must be sent within 60 days to DOTD or with next invoice for engineering consultant contracts
- Contractors must be paid in accordance with Federal and State Law time limits
- Old agreements may have the disbursement amendment added to the agreement



# 2 Code of Federal Regulations (CFR) 200 – Articles II & IV

- New guidance on *Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- Consolidates 8 Federal circulars and affects:
  - Procurement Requirements
  - Administrative Requirements
  - Cost Principles
  - Audit Changes
  - Project End Date

# 2 CFR 200 Facts

- Located in Title 2 of the CFR
- Applies to nonfederal entity audits for FY beginning on or after December 26, 2014
- The goal was to provide guidance to:
  - Streamline guidance for federal awards to ease administrative burden
  - Strengthen oversight over federal funds to reduce risks of waste, fraud and abuse
  - Eliminate duplicate and conflicting guidance between circulars

# 2 CFR 200 Audit Requirements

- Audit requirements are contained in Sections 200.500 through 200.521
  - 200.501 *Audit Requirements* – Single or program-specific audit required if received **\$750,000+** in federal awards during its FY
  - 200.510 *Financial Statements* – Auditees still required to prepare a Schedule of Federal Awards (SEFA)



# 2 CFR 200 Administrative Requirements

- 200.112 *Conflict of Interest* - Disclose in writing any conflict of interest
- 200.113 *Mandatory Disclosures* - Disclose in writing all violations of federal criminal law involving fraud, bribery or gratuity violations potentially affecting the federal award
- 200.309 *Period of Performance* - Limits the period for which allowable costs may be charged (Begin and End dates)



# Responsible Charge (Article III) Issues

- Entity needs to know the status of project and where money is being spent
- Entity must complete and return Responsible Charge form to DOTD
  - If Responsible Charge changes, Entity must complete a new form and send it to DOTD

# Period of Performance (Article IV) Issues

- *Period of Performance letter* - provides begin and end dates for each authorized project phase
  - Changes must have justification and approved by DOTD
  - Notification of PM by Responsible Charge required if milestones are missed

# Preconstruction Engineering (Article VII) Issues

- DOTD Design Guidelines must be followed
- Utility relocation must be coordinated by Entity
- Entity is responsible for contract costs attributable to errors or omissions
- Design submittals to DOTD must meet project schedule or letting can be delayed

# ROW Acquisition & Relocation (Article VIII) Issues

- Acquisition MUST BE in accordance with the Federal Uniform Act
- CANNOT acquire R/W prior the NEPA clearance
- DO NOT begin acquiring R/W prior to the written Notice To Proceed from DOTD if seeking Federal reimbursement
- Donations and appraisals must be done in accordance with State & Federal requirements (see form)

# ROW Acquisition & Relocation (Article VIII) Issues

- Ensure sufficient R/W before contacting land owners
- All R/W must certified (by DOTD) prior to project letting
- Any purchased or donated publically owned land must have proper documentation
- Entity pays the R/W administration cost

# Utility Relocation (Article XI) Issues

- Betterments (any improvement beyond replacement in kind) is ineligible for reimbursement - Utility relocation must be required for a project and not used as an opportunity to replace/upgrade a utility
- All utility agreements must be submitted to DOTD prior to project delivery
- If utility relocation is not coordinated prior to delivery it can cause Delay Claims During Construction

# Utility Relocation Prior to Construction is Critical

- Utility relocation problems in construction
  - If a utility delays construction, the department gets .05% of those costs per day.
    - *R.S. 48:381 provides for “utility relocation agreements containing liquidated damages clauses, not to exceed .05 percent per day of the estimated utility’s relocation costs.”*
  - FHWA doesn’t participate in most utility delay claims



# Bids/Construction (Article XII) Issues

- DOTD uses the final plans, specifications, and estimate to prepare the construction proposals
- DOTD follows current practices, advertises for and receive bids for the work in accordance with DOTD's normal procedures
- DOTD reviews bids and solicits concurrence from the Entity for award
- The contract is signed by Entity and awarded to the lowest bidder, per state and federal requirements

# CE&I (Article XIII) Local Options

- Option for projects on a LPA owned route
  - Entity inspects using in-house personnel
  - Entity hires a consultant with Entity funds
  - Entity hold contract for consultant obtained through DOTD's consultant selection process using federal funds (Entity pays match)
  - High risk entities provide required matching funds and administration fee to DOTD prior to the letting – DOTD holds the contract

# CE&I (Article XIII)

- LPA must plan for construction oversight prior to letting (LPA must plan and oversee Construction Engineering & Inspection)
  - In-house personnel
  - Consultant
  - Provide “up-front match” and management fee to have DOTD manage the contract for high risk LPAs

# CEI (Article XIII) State Routes

- Project on a state route
  - DOTD's District Construction Section holds the contract and provides the construction inspection
  - Matching funds may be required from the Entity prior to construction in accordance with Funding Table

# Inspectors & Documentation

- Inspectors
  - Shall be **DOTD-certified** and experienced in the type of construction they are required to oversee.
  - Should be on-site whenever construction activities that require an inspector are performed.
- Project documentation
  - Must be made in accordance with the Construction Contract Administration Manual
  - Poor documentation may result in forfeiture of federal funds

# Site Manager

- LDOTD's electronic system to manage contract information through the entire construction cycle includes:
  - Contract status reporting, progress payments, DBE/WBE reporting, subcontractor authorization, funding participation allocation, and project finalization management
- Project Engineer (LPA or Consultant) must get set up in this system prior to the beginning of a construction project

# Sampling & Testing

- Sampling & Testing
  - The project will be built in accordance with the latest version of the Louisiana Standard Specifications for Roads and Bridges
  - All sampling and testing must be done in accordance with the DOTD Materials Sampling Manual
  - Entity/project engineer is responsible for obtaining all the necessary samples and performing tests in the field unless stated in contract specifications



# Shop Drawings & Discrepancies /Remedial Actions

- Shop Drawings for structures
  - Shop drawings and submittals are to be reviewed and approved by design engineer
- Discrepancies/Remedial Action – Work not performed in accordance with plans and specifications
  - If DOTD Construction Coordinator advises the PE of discrepancies and recommends remedial action, but it is not being addressed, funds will be withheld until the corrective measures are taken by the Entity

# Change Orders

- Changes Orders
  - Initiated any time it is necessary to deviate from the contract, specifications or plans or overrun or an underrun for an item is 5% or greater
  - LPA Project engineers are responsible for writing change orders
  - Procedure is documented in the CCA Manual.
  - NO extra work may begin until change order has been approved.
  - Paperwork for change order to be completed in Site Manager and addresses overall scope of the project, nature of changes, how they affect items in project and quantities of items

# Change Order Justification

- Change Order Justification
  - Required for any extra cost, extra work and any changes in contract time (with all applicable signatures in Site Manager)

# DBE Requirement (Article XV) Goals

- DBE/SBE project goals – Projects are not evaluated for a goal if they are less than
  - Design - \$250,000
  - Construction - \$500,000
  - SBE Construction - \$125,000 to \$500,000
- DOTD DBE/SBE Goals Committee reviews all projects to determine \*\*\*\*
  - if the work can support a goal
  - If there is availability of DBEs that can perform the work

# DBE Requirements

## Location of Information

- Location of Goal information – The prime will find the % for the DBE/SBE Goal in the Construction Proposal under the Section entitled “Special Provisions” in a paragraph entitled “DBE/SBE Participation in Federal Aid Construction Contracts”

# DBE Requirement LPA Actions

- LPA should know if the project has a DBE/SBE goal = % of work to be by a DBE subcontractor
- Additional contract reporting is required for a DBE/SBE contractor
- Training is available through the DOTD Compliance Programs Section
- Monitoring is required to ensure compliance

# Subcontracting

- A DBE/SBE subcontractor must be reported, even if project does not have a DBE goal
  - Construction Form CP-1A tracks payment to the DBE/SBE is completed even if DOTD did not set a project goal



# Indirect Cost (Article XVI) Criteria

- The Entity may receive indirect costs **IF** it has a verifiable financial tracking system that can track direct costs incurred by the project
- An entity that has never received a negotiated indirect cost rate may charge 10% of modified total direct costs

# Cost Records (Article XVII)

- Money can be withheld or repayment requested if:
  - The records are insufficient/incomplete
  - Incorrect entries are in Site Manager (construction only) by Project Engineer
  - DBE documentation is incorrect
  - Supporting documents are not retained (5-years)

# Compliance with Civil Rights (Article XIX)

- The Americans with Disabilities Act – 1990 (ADA)  
Civil Rights Statute (law) - Protects qualified individuals with disabilities from discrimination on the basis of disability
  - Title II of ADA - prohibits discrimination by State and Local governments in all services, programs and activities provided to persons with disabilities, including public transportation
  - Applies to all facilities built both before and after 1990.  
(No “grandfather clause” in the ADA Act)

# ADA - Self-Evaluation Plan

- Local Public Agencies (LPAs) are required to perform “self-evaluations” of their current facilities, relative to the accessibility requirements of the ADA
  - All public entities are obligated to have some planning method to make facilities ADA accessible
  - LPA’s are required to correct any deficiencies identified through the self evaluation



# What is an ADA Transition Plan?

- An ADA Transition Plan details how accessibility issues or deficiencies within the Public Right of Way will be corrected, scheduled, budgeted for and monitored for progress and compliance
- An ADA Transition Plan is a living document that must be updated regularly as projects are completed or changes occur within the Public Right of Way





# Local Public Agencies and ADA Transition Plans

- LPAs (cities, parishes, etc.,) are required to perform “self-evaluations” of their current facilities, relative to the accessibility requirements of the ADA
- All LPAs are obligated to have some planning method to make facilities ADA accessible
- LPA’s are required to correct any deficiencies identified through the self evaluation.

# Do All Public Agencies Require an ADA Transition Plan?



- LPA's with more than 50 employees (both full and part-time) are required to have a Public Right of Way (PROW) Transition Plan detailing how the deficiencies will be corrected
- A PROW accessibility transition plan is recommended for ALL LPA's regardless of number of employees





# Consider Including in Transition Plans

- ADA Title II Regulations
- Formal Written Complaint Procedure
- Request for Accommodation Procedure
- Contact Numbers of the LPAs ADA Coordinator, State and Federal offices, etc.

# Final Inspection and Maintenance (Article XXI)

## Closeout Documents Required

- Signed original schedule of work items
- Signed original recapitulation of weather & working days
- All field books
- Signed and corrected As-Built plans
- Project diary
- Correspondence – In & Out
- Construction Layout
- Certificates of release
- Right-of-way monuments on State Rts - Receipt Verifying Filed at Courthouse

# Final Inspection and Maintenance (Article XXI)

## Closeout Documents – cont.....

- Earthwork –
  - Computations, signed
  - Benchmark List signed
  - Cross-Section Sheets
- Asphalt Concrete Plant Reports
- Signed original 2059 Form
- Reinforcing Steel Bar List
- Master structures file
- Change Order/Plan Change implemented
  - Signed originals must be submitted
- Final Acceptance letter
- Police Invoices
- Traffic control log
- Transmittal sheet

# Final Inspection and Maintenance (Article XXI)

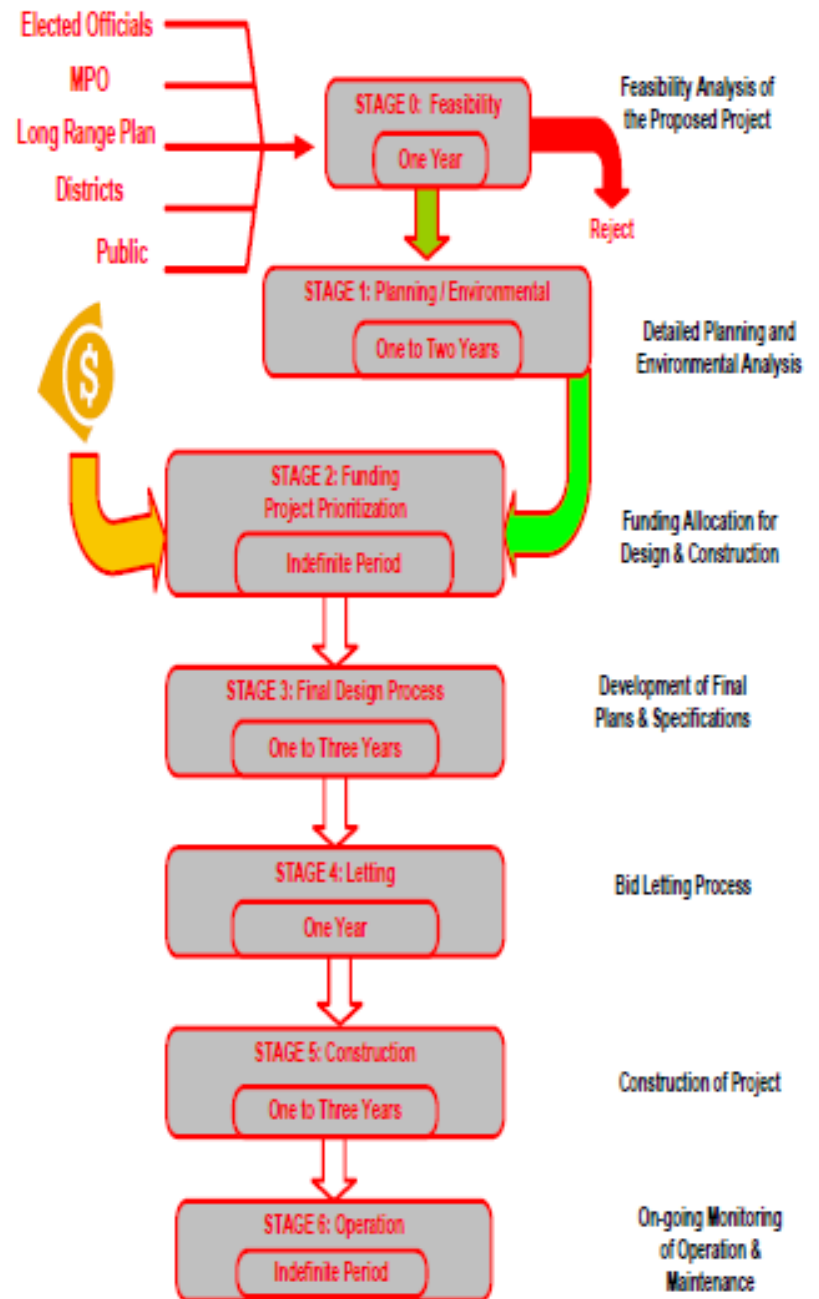
- Consider
  - How easy the improvement is to maintain?
  - What is the cost per year to maintain?
  - Is there access to everything that requires maintenance?

# Final Inspection and Maintenance – State Routes

- DOTD does not accept maintenance and liability on state routes for:
  - Sidewalks
  - Separate bicycle paths
  - Lighting
  - Landscaping

# Project Administration and Requirements

# DOTD Project Delivery Process







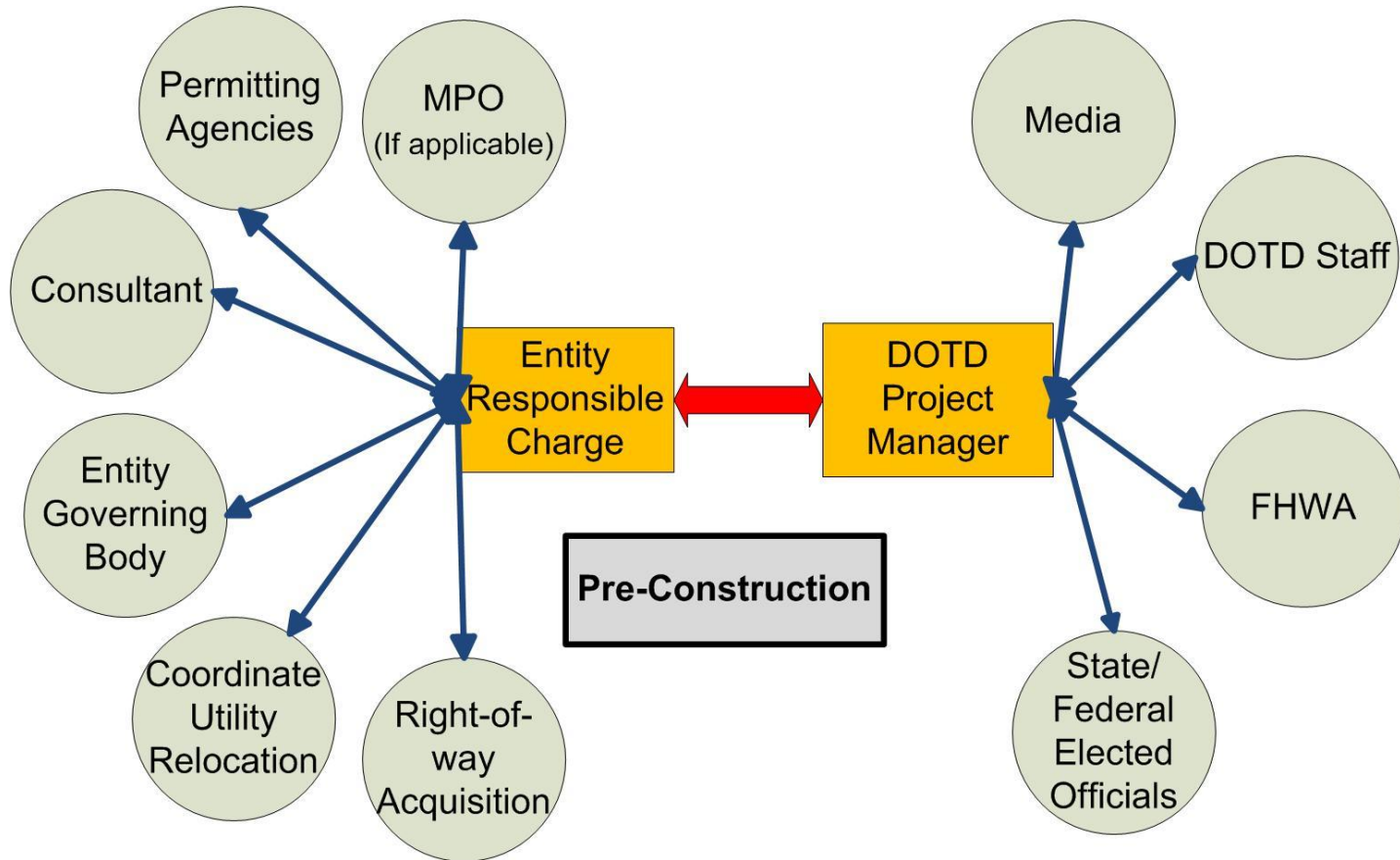
# Key Duties for LPA Responsible Charge and DOTD

See Handout

# Roles

- **LPA's Project Engineer (LPA PE)** – A licensed engineer in the State of Louisiana contracted by the Entity (employee or consultant) to provide contract administration for construction engineering and inspection in accordance with DOTD policies
- **Responsible Charge** – A full time local government employee that is responsible for administering and accountable for the project
- **DOTD Project Coordinator** – An engineer from the DOTD that provides oversight for the construction project and is a resource to the LPA Responsible Charge and their project engineer.

# Working with DOTD



Close your presentation handout  
(deep breath)

# Highlights from Developing an LPA Project for Bidding (Project Delivery) Module

# Conceptual

- Develops the Stage 0 Report/Program Application
- Reviews & approves the Stage 0 Report/Program Application
- Determines the type of required environmental document
- Prepares & processes the Entity-State Agreement
- Completes and submits the updated reporting form
  - **Sent to the DOTD Project Manager with a copy to the District Administrator & the MPO (if applicable)**
- Complete & submit Responsible Charge Form

# Conceptual

- Develops the Stage 0 Report/Program Application
  - LPA
- Reviews & approves the Stage 0 Report/Program Application
  - DOTD
- Determines the type of required environmental document
  - DOTD
- Prepares & processes the Entity-State Agreement
  - DOTD
- Completes and submits the updated reporting form
  - **Sent to the DOTD Project Manager with a copy to the District Administrator & the MPO (if applicable)**
    - LPA
- Complete & submit Responsible Charge Form
  - LPA



# Federal funds in preconstruction

- Submits the scope of services, man-hours and provides the schedule & budget (must be realistic)
- Reviews the scope & man-hours, prepares & advertises the contract, selects the consultant, prepares the contract and processes & pays invoices
- Executes the contract,
- Reviews, approves & transmits invoices to the DOTD and monitors the contract time & notifies DOTD of any extensions / suspensions
  - **(Must use DOTD form, with math correct, within contract time)**

# Federal funds in preconstruction

- Submits the scope of services, man-hours and provides the schedule & budget (must be realistic) • LPA
  - Reviews the scope & man-hours, prepares & advertises the contract, selects the consultant, prepares the contract and processes & pays invoices • DOTD
  - Executes the contract, • LPA
  - Reviews, approves & transmits invoices to the DOTD and monitors the contract time & notifies DOTD of any extensions / suspensions • LPA
- (Must use DOTD form, with math correct, within contract time)

# Plan Development

- Prepares the environmental document
- Processes & obtains federal approval of the environmental document
- Obtains all required permits (environmental & railroad) & coordinates the utility clearances/certification documentation
- Ensures permits & utility clearances are obtained

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- LPA/Consultant
  - DOTD
  - LPA/Consultant
  - DOTD

# Plan Development

- Completes the predesign form & attends the predesign meeting
- Schedules & chairs predesign meeting & the Plan-in-Hand Field Inspection
- Prepares & reviews preliminary & final plan submittals (includes cost estimates), distributes plans internally, sends the plans to/works with the utility companies, & attends the Plan-in-Hand field Inspection
- Reviews preliminary & final plans (includes cost estimates) distributes plans internally

# Plan Development

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  - Schedules & chairs predesign meeting & the Plan-in-Hand Field Inspection
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  - Reviews preliminary & final plans (includes cost estimates) distributes plans internally
- **LPA\*\*/Consult**
  - **DOTD\***
  - **LPA\*\*/Consult**
  - DOTD

**\*Consultant performs this in LRSP & SRT**

**\*\*Responsible Charge must attend**

# Plan Development

- Distributes the notes from field inspection & reviews
- Reviews plans to ensure all comments have been addressed
- If applicable
  - Completes Non-Standard pay item request (Must be done prior to ACP submittal)/Completes design exception/design waiver request (Should be done ASAP)
  - Processes Non-Standard pay item request/Processes design exception/design waiver request



# Plan Development

- Distributes the notes from field inspection & reviews
  - DOTD
- Reviews plans to ensure all comments have been addressed
  - LPA
- If applicable
  - Completes Non-Standard pay item request (Must be done prior to ACP submittal)/Completes design exception/design waiver request (Should be done ASAP)
    - LPA
  - Processes Non-Standard pay item request/Processes design exception/design waiver request
    - DOTD

# Plan Development

- Transmits the stamped, signed & dated final plans, the cost estimate, & calculations
- Prepares the submittal for letting (2<sup>nd</sup> Wed of every month), advertises & receives the bids
- Reviews the bids
  - **DOTD reviews with the LPA & the MPO (if applicable) – DOTD automatically approves if the bid is within 10% over or 25% under**

# Plan Development

- Transmits the stamped, signed & dated final plans, the cost estimate, & calculations
  - Prepares the submittal for letting (2<sup>nd</sup> Wed of every month), advertises & receives the bids
  - Reviews the bids
    - **DOTD reviews with the LPA & the MPO (if applicable) – DOTD automatically approves if the bid is within 10% over or 25% under**
- LPA
  - DOTD
  - DOTD & LPA

# Right-of-Way (R/W) Acquisition (if required)

- Prepares the preliminary & final r/w maps
- Schedules & chairs the Joint Plan Review Meeting
- Attends the Joint Plan Review Meeting
- Acquires the r/w
  - **Must have environmental clearance before acquiring r/w**
- Audits r/w acquisition files to ensure all parcels were acquired following all state & federal guidelines

# Right-of-Way (R/W) Acquisition (if required)

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  - Audits r/w acquisition files to ensure all parcels were acquired following all state & federal guidelines
- LPA/Consult
  - DOTD
  - **LPA\***
  - LPA/Consult
  - DOTD
- \*Responsible Charge must attend**

# Bid/Award

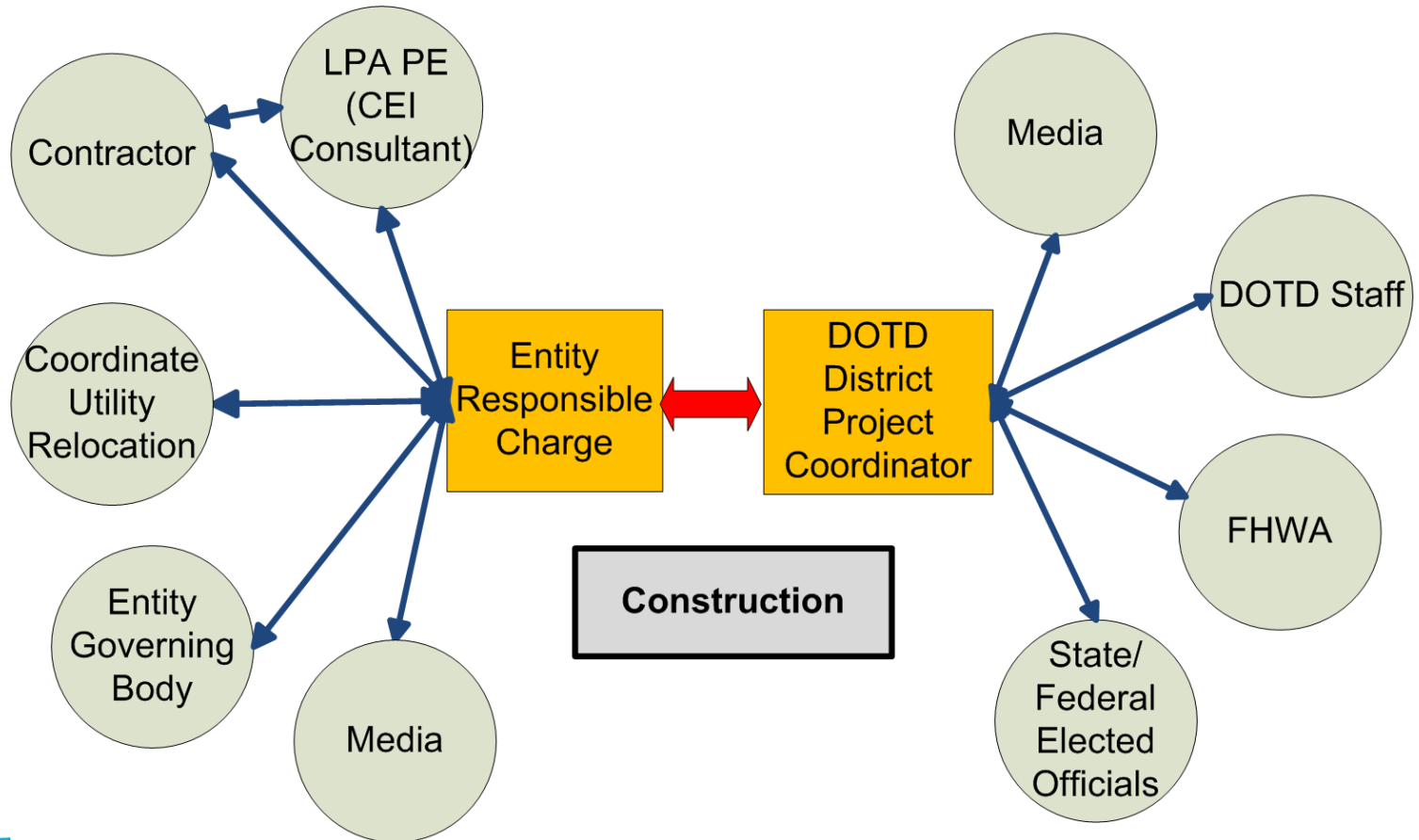
- Reviews the bids for anomalies & provides written concurrence
- Awards the bid, prepares the contract for execution by the LPA & the contractor
- Awards, signs & returns the contract timely

# Bid/Award

- Reviews the bids for anomalies & provides written concurrence
  - Awards the bid, prepares the contract for execution by the LPA & the contractor
  - Awards, signs & returns the contract timely
- LPA
  - DOTD
  - LPA



# Working with DOTD - Construction



# Highlights from Construction Engineering and Inspection (CE&I) Module

# CE&I

- Records the contract in the Clerk of Court's office, schedules the Project Set-up meeting & Preconstruction meeting
  - Attends the Project Set-up meeting, Preconstruction meeting and all meetings when a decision is needed
  - Ensures the project is constructed in accordance with plans & specs
  - Makes periodic inspections & verifies that the project is constructed in accordance with the plans and specifications
- LPA/Consult
  - DOTD,LPA\*/Consult
  - LPA/Consult
  - DOTD
- \*Responsible Charge must attend

# CE&I

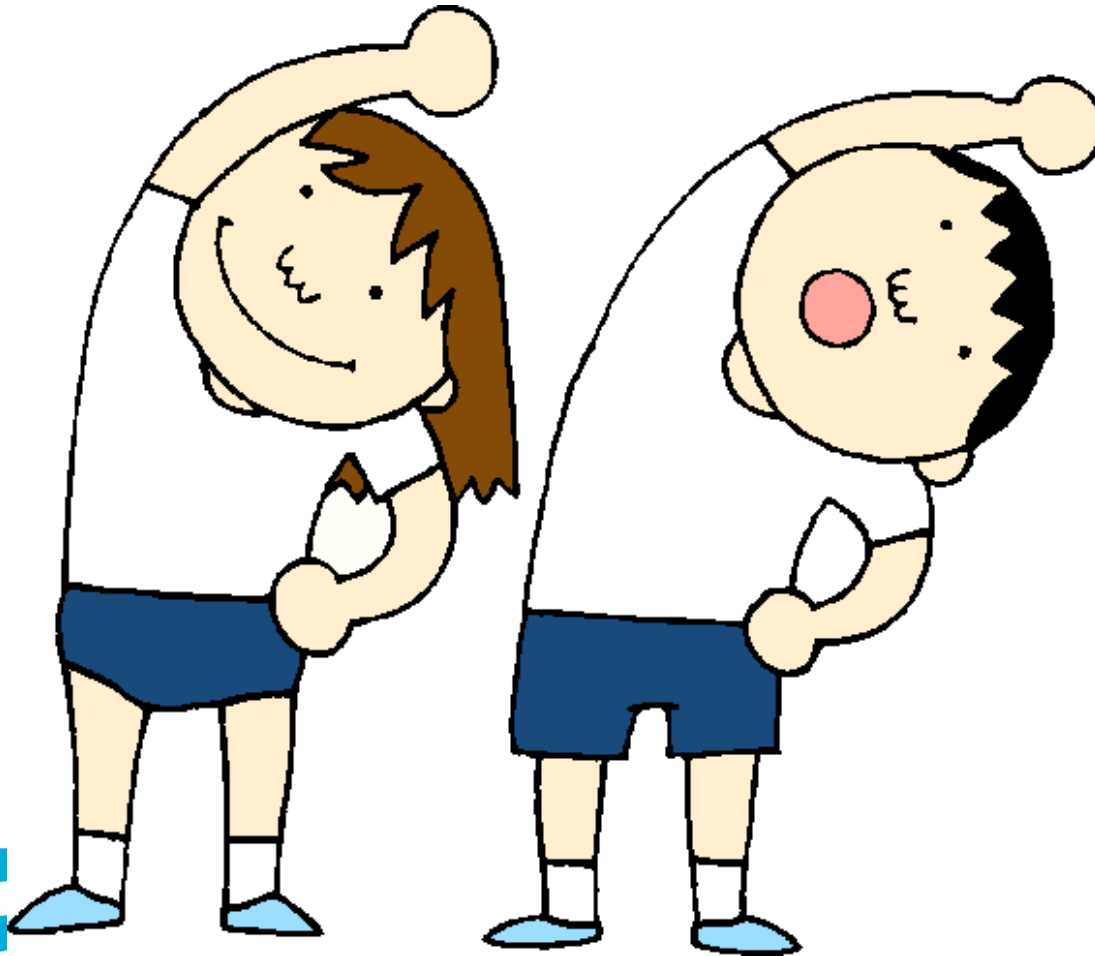
- Ensures work zone safety, ensures the contractor's monthly estimate documentation is provided
  - Pays the contractor's monthly partial estimates, prepares/submits the Cost Disbursement Certification & reviews & recommends approval of change orders
    - **(Responsible Charge must be involved in money)**
  - Verifies that the work zone safety requirements are being implemented on the project
  - Reimburses the correct % of monthly partial estimates & reviews & approves change orders
- LPA/Consult
  - LPA/Consult
  - DOTD
  - DOTD

# CE&I

- Attends the final inspection
- Ensures the Final Estimate & required documentation is transmitted to DOTD timely & records the Final Acceptance in Clerk of Court's office
- Audits the final estimate
- DOTD,  
**LPA\***/Consult
- LPA/Consult
- DOTD

**\*Responsible Charge must attend**

# Final Stretch



# Project Reporting

- Standard form to complete
- Quarterly or Monthly reporting on project status as a project moves through the various Stages – depending on the Program type
- PURPOSE:
  - Keeps everyone informed of status
  - Documents any problems



# Reporting Form

DOTD Local Road Safety Program/Safe Routes to School  
Quarterly Project Status Report of Current Project Phase

Project Name  For the Month of

Project Number

Entity  Year

## Pre-Design Activities

- ☐ Not Applicable
- ☐ RFP Advertised
- ☐ Consultant Selected
- ☐ Retainer Contract Executed

## Design

- ☐ Preparing Plans
- ☐ 50% Plans submitted to DOTD
- ☐ TC Details received from DOTD
- ☐ Construction Cost Estimate submitted to DOTD
- ☐ Draft Proposal submitted to DOTD
- ☐ 100% Plans submitted to DOTD
- ☐ Bid Documents submitted to DOTD

## Right-of-Way

- ☐ Not Applicable
- ☐ Submitted LPA Assurance Letter to DOTD
- ☐ Contacted DOTD RW Section for guidance
- ☐ RW offers made to owners
- ☐ RW acquisition complete
- ☐ DOTD reviewed & certification received

## Utility Relocation

- ☐ Not Applicable
- ☐ Contacted DOTD Utility Section for guidance
- ☐ Contacted Utility Companies
- ☐ Utility relocation complete

## Letting/Award

- ☐ Project advertised
- ☐ Compared cost to Entity-State Agreement
- ☐ Recommend award to DOTD
- ☐ Construction contract executed
- ☐ Contract recorded in local Clerk of Court

## Construction

- ☐ Project Under Construction
- ☐ Daily work reports in SiteManager
- ☐ Partial estimate paid to contractor
- ☐ Sampling plan being followed

## Project Completion

- ☐ Request final inspection by DOTD
- ☐ Final Inspection made
- ☐ Resolution adopted granting final acceptance to contractor
- ☐ Final Acceptance recorded in Clerk of Court
- ☐ Final Estimate submitted to DOTD

# Reporting Form

DOTD Local Road Safety Program/Safe Routes to School  
Quarterly Project Status Report of Current Project Phase

Provide a brief description of progress made since last report

Explain any delays experience and efforts made to correct

Describe anticipated work efforts for next three (3) months

Information required from DOTD for project development

Completed by (Entity Responsible Charge)

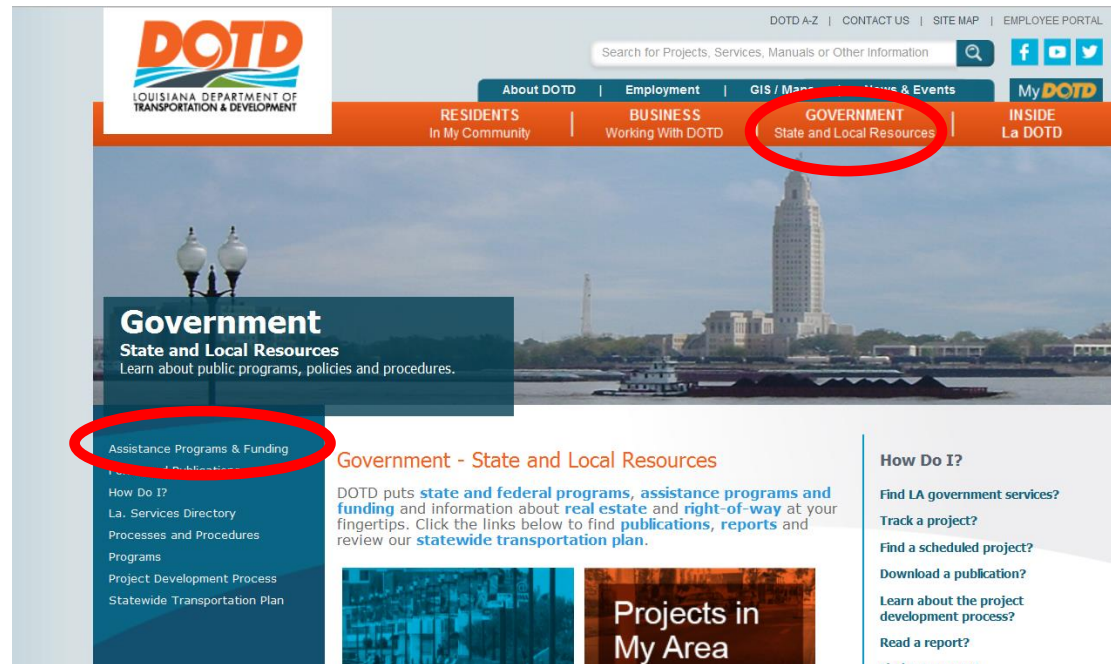
Title

Date

Check each activity that applies. Complete the form quarterly and submit to the Program Project Manager  
with copies to the District Administrator

# Where to go for help?

- The Local Public Agency website, Manual (LPA) and Appendix
- LPA Training Module Classes for Planning, Design, Construction Engineering and Inspection



# LPA Manual

- Assembled by DOTD & FHWA as a tool to assist LPAs to fulfill the requirements of implementing a transportation project –  
Being updated
  - One stop shopping for all information on programs and projects that LPAs can apply for

# “My DOTD”

- Choose “LPA” when signing up
- Benefits
  - Notifications of training
  - Notification of changes or pertinent information
- Go to DOTD website
  - Choose “Inside DOTD”
  - Choose “Follow DOTD”



Email Address

Password

Login

Sign Up

**Get Info by District**

Alexandria

Baton Rouge

Chase

Hammond

Lafayette

Lake Charles

Monroe

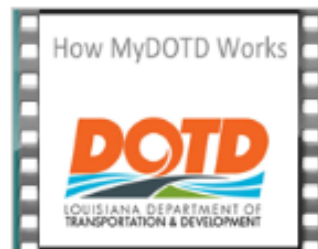
New Orleans

Shreveport



**Welcome to MyDOTD**

My DOTD is a new way to stay connected with DOTD and up-to-date on local projects, lane and road statuses, and other DOTD activity. [Sign Up Now](#)



[What is MyDOTD?](#)



[Get Info by District or Parish](#)



[All DOTD Projects](#)

“My DOTD”

# "My DOTD"

Home ▶ MyDOTD

Welcome Ann / [Customize](#) / [Logout](#)

## DOTD Announcements Sign-Up Summary for "Ann.Wills@LA.GOV"

Member Since Friday, October 19, 2012

[Customize My Alerts](#)

### Personal Information

Email: **Ann.Wills@LA.GOV**

Name: **Ann Wills**

Zip Code: **70804**

### Release Type(s):

**Press Release (Media/Web)**

**~~Road or Lane Status~~**

**Local Public Agency Info**

### No 'Type of User' Selected

### Parish(es) Selected:

**East Baton Rouge**

**East Feliciana**

### No Corridors Selected

### No Projects Selected

To get the most from MyDOTD's email alerts, you can select as many parishes, corridors and projects as you would like more information on.

To no longer receive emails from MyDOTD, click [unsubscribe](#)



## Customize My Account: Account Information

On this page, you can help target exactly what information that you want to receive.

### Step 1 of 4

#### Contact Information

Email

Ann.Wills@LA.GOV

First Name

Ann

Last Name

Wills

Zip Code

70804

#### Information to Receive

- ☒ Press Releases
- ☒ Road or Lane Statuses
- ☐ Public Meetings
- ☒ Local Public Agency Info

#### Type of User

- ☐ Resident
- ☐ Business
- ☐ Government
- ☐ Media
- ☐ Emergency Personnel

Save

Next

# Key Issues - Executive Briefing

- Task:
  - Prepare a 5-minute “Executive Briefing”
    - Summarizing the main points of today’s training.
- Purpose:
  - Information for your supervisor or the elected official(s)
    - Needed information regarding DOTD and FHWA requirements for a Local Public Agency to receive Federal funds for transportation projects



# Summary & Questions

## Contact Person

**Ann Wills**

Director of Local Public Assistance  
Programs

225-379-2515

[Ann.Wills@la.gov](mailto:Ann.Wills@la.gov)